

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

PROPAK LOGISTICS, INC.

PLAINTIFF

v. Civil No. 04-2178

FOUNDATION INSURANCE COMPANY
and GUARANTEE INSURANCE COMPANY

DEFENDANTS

O R D E R

Currently before the Court is Separate Defendant Foundation Insurance Company's Motion for a Stay in Proceedings (Doc. 94) and Separate Defendant Guarantee Insurance Company's Response (Doc. 95). According to Foundation, it is the subject of rehabilitation proceedings in the Court of Common Pleas, Fifth Judicial Circuit of the State of South Carolina in which there is an injunction and automatic stay of proceedings against Foundation. Foundation moves this Court to stay all proceedings until the injunction and automatic stay are lifted in the rehabilitation proceedings. Guarantee does not object to a stay, but requests that an exception be made to permit Guarantee to file any dispositive motions by the current deadline of April 6, 2006.

The Court, being well and sufficiently advised, finds that Foundation's motion should be GRANTED to the extent that all proceedings shall be stayed until the Court receives notification from the parties that the stay has been lifted in

Foundation's rehabilitation proceedings. However, Guarantee will be permitted to file any dispositive motions by April 6, 2006. Finally, this matter is removed from the trial docket for the week of June 5, 2006. Once the Court receives notification that the stay has been lifted the matter will be reset for trial.

IT IS SO ORDERED this 7th day of March, 2006.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge